

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01362
Hon. David A. Faber

CABELL COUNTY COMMISSION,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01665
Hon. David A. Faber

**ORDER REGARDING EXPERT DEPOSITION AND DAUBERT MOTION
SCHEDULE FOR PLAINTIFF EXPERT DR. MICHAEL SIEGEL**

The parties have informed the Special Master that Plaintiffs have requested to reschedule the deposition of Plaintiffs' expert witness, Dr. Michael Siegel, because Plaintiffs' counsel resides in Pensacola, FL, which was just hit by a hurricane. Defendants consent to rescheduling the deposition, and the parties have agreed to hold the deposition on October 6, 2020. Given the unfortunate circumstances, the Special Master orders that the deposition of Dr. Siegel shall occur on October 6, 2020.

The parties disagree about the appropriate schedule for filing a *Daubert* motion following Dr. Siegel's deposition. Defendants request that any *Daubert* motion may be filed 14 days from

Dr. Siegel's deposition. Plaintiffs request that any *Daubert* motion may be filed eight days from Dr. Siegel's deposition. Given the short time before trial, the Special Master orders that Defendants shall file any *Daubert* motion related to Dr. Siegel no later than October 16, 2020, 10 days after Dr. Siegel's deposition. The Special Master further orders that Plaintiffs shall not be permitted to call Dr. Siegel as a witness until at least three days after the briefing on any *Daubert* motion has concluded.

The Clerk is directed to transmit copies of this Order to those counsel of record who have registered to receive an electronic NEF.

Respectfully submitted,

Dated: September 23, 2020

Christopher Wilkes
Special Master